

**Fill in this information to identify the case:**

Debtor 1 Daniel A. Martinez

Debtor 2 Kimberly A. Martinez

United States Bankruptcy Court for the: Eastern District of Michigan

Case number : 16-50782-pjs

**Official Form 410S1****Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment is due. See Bankruptcy Rule 3002.1.

**Name of creditor:** NewRez LLC d/b/a Shellpoint Mortgage Servicing**Court claim no.** 19  
(if known):**Last 4 digits of any number**  
you use to identify the debtor's  
account: 9008**Date of payment change:** 09/01/2020  
Must be at least 21 days after date of  
this notice**New total payment:** \$1,906.95  
Principal, interest, and escrow, if any**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**☐ No☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with the applicable nonbankruptcy law.  
Describe the basis for the change. If a statement is not attached, explain why:**Current escrow payment:** \$850.52**New escrow payment:** \$815.76**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**☒ No☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a  
notice is not attached, explain why:**Current interest rate:**  
**Current Principal and interest payment:****New interest rate:**  
**New principal and interest payment:****Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**☒ No☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification  
agreement. (Court approval may be required before the payment change can take effect).

Reason for change:

**Current mortgage payment:****New mortgage payment:**

Debtor 1 Daniel A. Martinez  
First Name Middle Name Last Name

Case number (if known) 16-50782-pjs

**Part 4:** Sign Below

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

*Check the appropriate box:*

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

/S/ Lynn Pluister

Signature

Date 08/04/2020

Print: Lynn Pluister

Title Authorized Agent for Creditor

Company Padgett Law Group

Address 6267 Old Water Oak Road, Suite 203

Tallahassee FL, 32312

Contact phone (850) 422-2520

Email bkcrm@padgettlawgroup.com

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
DETROIT DIVISION**

IN RE: Daniel A. Martinez,  
Kimberly A. Martinez

Case No: 16-50782-pjs  
Chapter 13

Debtors(s)

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that, on this the 5th day of August, 2020, a true and correct copy of the foregoing was served by U.S., First Class, and/or electronic transmission to:

Debtor

Daniel A. Martinez  
28336 Hunter Court  
Flat Rock, MI 48134

Co-Debtor

Kimberly A. Martinez  
28336 Hunter Court  
Flat Rock, MI 48134

Attorney

Bryan Yaldou  
Consumer Protection Attys of MI, PLLC  
23000 Telegraph Rd.  
Suite 5  
Brownstown, MI 48134

Trustee

David Wm Ruskin  
26555 Evergreen Rd Ste 1100  
Southfield, MI 48076-4251

/S/ Lynn Pluister

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LYNN PLUISTER  
PADGETT LAW GROUP  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312  
(850) 422-2520 (telephone)

(850) 422-2567 (facsimile)  
bkcrm@padgettlaw.net  
*Authorized Agent for Creditor*



Shellpoint Mortgage Servicing  
PO Box 10826  
Greenville, SC 29603 0826  
For Inquiries: (800) 365-7107



DANIEL A MARTINEZ  
28336 HUNTER CT  
FLAT ROCK MI 48134

Analysis Date:  
Loan:  
Property Address:  
28336 HUNTER CT  
FLAT ROCK, MI 48134

July 30, 2020

### Annual Escrow Account Disclosure Statement - Account History

The following is an overview of your escrow account with Shellpoint Mortgage Servicing. It contains the history of escrow payments made on your behalf in the prior year, and a snapshot of the anticipated disbursements for the coming year. Any potential adjustments due to increases or decreases with your escrow items may affect your monthly escrow payment. If your escrow payment increases, your monthly payment will also increase. If the escrow payment decreases, your mortgage payment will decrease.

Payment Information			Contractual	Effective Sep01, 2020
P & I Pmt:	\$1,091.19	\$1,091.19		
Escrow Pmt:	\$644.34	\$815.76		
Other Funds Pmt:	\$0.00	\$0.00		
Asst. Pmt (-):	\$0.00	\$0.00		
Reserve Acct Pmt:	\$0.00	\$0.00		
Total Payment	\$1,735.53	\$1,906.95		

  

Prior Esc Pmt			September 01, 2019
P & I Pmt:	\$1,091.19		
Escrow Pmt:	\$850.52		
Other Funds Pmt:	\$0.00		
Asst. Pmt (-):	\$0.00		
Resrv Acct Pmt:	\$0.00		
Total Payment	\$1,941.71		

  

Escrow Balance Calculation		
Due Date:	April 01, 2020	
Escrow Balance:	\$1,020.82	
Anticipated Pmts to Escrow:	\$3,221.70	
Anticipated Pmts from Escrow (-):	\$4,656.67	
Anticipated Escrow Balance:	-\$414.15	

  

Shortage/Overage Information		Effective Sep01, 2020
Upcoming Total Annual Bills	\$8,344.46	
Required Cushion	\$1,030.50	
Required Starting Balance	\$1,030.52	
Escrow Shortage	-\$1,444.67	
Surplus	\$0.00	

  

<b>Cushion Calculation:</b>		Because Shellpoint Mortgage Servicing does not set your tax amounts or insurance premiums, your escrow balance contains a cushion of 1,030.50. A cushion is an additional amount of funds held in your escrow in order to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Your lowest monthly balance should not be below 1,390.74 or 1/6 of the anticipated payment from the account.
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This is a statement of actual activity in your escrow account from July 2019 to Aug 2020. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	777.88
Jul 2019		658.44			*	0.00	1,436.32
Jul 2019			180.12		* FHA MI	0.00	1,256.20
Aug 2019			180.12		* FHA MI	0.00	1,076.08
Aug 2019			4,116.31		* City Tax	0.00	(3,040.23)
Sep 2019		658.44			*	0.00	(2,381.79)
Sep 2019			180.12		* FHA MI	0.00	(2,561.91)
Oct 2019		658.44			*	0.00	(1,903.47)
Oct 2019		658.44			*	0.00	(1,245.03)
Oct 2019			180.12		* FHA MI	0.00	(1,425.15)
Nov 2019			180.12		* PMI	0.00	(1,605.27)
Dec 2019		850.52			*	0.00	(754.75)
Dec 2019		850.52			*	0.00	95.77
Dec 2019			1,116.71		* City Tax	0.00	(1,020.94)
Dec 2019			180.12		* PMI	0.00	(1,201.06)
Jan 2020			180.12		* PMI	0.00	(1,381.18)
Feb 2020		850.52			*	0.00	(530.66)
Feb 2020			180.12		* PMI	0.00	(710.78)
Mar 2020		850.52			*	0.00	139.74
Mar 2020		(850.52)			*	0.00	(710.78)
Mar 2020		850.52			*	0.00	139.74
Apr 2020		850.52			*	0.00	990.26
May 2020			720.48		* PMI	0.00	269.78
May 2020			950.00		* Hazard	0.00	(680.22)
Jun 2020		850.52			*	0.00	170.30
Jul 2020		850.52			*	0.00	1,020.82
					Anticipated Transactions	0.00	1,020.82
Jun 2020		P	180.12		PMI		840.70
Jul 2020		P	180.12		PMI		660.58
Aug 2020		3,221.70 P	4,116.31		City Tax		(234.03)
Aug 2020		P	180.12		PMI		(414.15)
	\$0.00	\$11,809.10	\$0.00	\$13,001.13			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

P - The letter (P) before the amount indicates the payment is due. If the payment is due, it has not yet occurred. (P) is estimated to be a payment. Page 5 of 6

Analysis Date:

July 30, 2020

Loan:

### Annual Escrow Account Disclosure Statement - Projections for Coming Year

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
Sep 2020	695.37	180.12	Starting Balance	(414.15)	1,030.52
Oct 2020	695.37	180.12	PMI	101.10	1,545.77
Nov 2020	695.37	180.12	PMI	616.35	2,061.02
Dec 2020	695.37	180.12	PMI	1,131.60	2,576.27
Dec 2020	695.37	1,116.71	City Tax	710.26	2,154.93
Jan 2021	695.37	180.12	PMI	530.14	1,974.81
Feb 2021	695.37	180.12	PMI	1,045.39	2,490.06
Mar 2021	695.37	180.12	PMI	1,560.64	3,005.31
Apr 2021	695.37	180.12	PMI	2,075.89	3,520.56
May 2021	695.37	180.12	PMI	2,591.14	4,035.81
Jun 2021	695.37	180.12	PMI	3,106.39	4,551.06
Jun 2021	695.37	950.00	Hazard	2,851.76	4,296.43
Jul 2021	695.37	180.12	PMI	2,671.64	4,116.31
Aug 2021	695.37	180.12	PMI	3,186.89	4,631.56
Aug 2021	695.37	180.12	PMI	3,702.14	5,146.81
Aug 2021		4,116.31	City Tax	(414.17)	1,030.50
	<u>\$8,344.44</u>	<u>\$8,344.46</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year)

Your ending balance from the last month of the account history (escrow balance anticipated) is (414.15). Your starting balance (escrow balance required) according to this analysis should be \$1,030.52. This means you have a shortage of 1,444.67. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 12 months. We anticipate the total of your coming year bills to be \$8,344.46. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

#### New Escrow Payment Calculation

Unadjusted Escrow Payment	\$695.37
Surplus Reduction:	\$0.00
Shortage Installment:	\$120.39
Rounding Adjustment Amount:	\$0.00
<b>Escrow Payment:</b>	<b>\$815.76</b>

**Paying the shortage:** If your shortage is paid in full, your new monthly payment will be \$1,786.56 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed.

TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED, DISMISSED OR IS SUBJECT TO AN AUTOMATIC STAY OF BANKRUPTCY ORDER UNDER TITLE 11 OF THE UNITED STATES CODE, THIS NOTICE IS FOR COMPLIANCE AND INFORMATION PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR ANY ATTEMPT TO COLLECT ANY SUCH OBLIGATION



Detach Here

**Shellpoint**  
Mortgage Servicing  
Shellpoint Mortgage Servicing  
PO Box 10826

Greenville, SC 29603 0826  
(800) 365-7107

#### Escrow Shortage Reply (This is not a bill)

Loan Number:

Full Shortage Amount:

\$1,444.67

Payment Amount:

\$ \_\_\_\_\_

Your escrow shortage has been spread over 12 months, resulting in an additional increase in your monthly payment in the amount of 120.39.

Shellpoint Mortgage Servicing  
P.O. Box 740039  
Cincinnati, OH 45274-0039

IF YOU CHOOSE to pay your shortage in full, please visit [www.ShellpointMtg.com](http://www.ShellpointMtg.com) in order to expedite your payment. You can also mail this coupon with your remittance of the full shortage amount to the address to the left